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No. 961626

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In The

Supreme Court of the United States

October Term, 1996

Julia McCain Lampkin Asam, Ph.D., J.D.
Petitioner

v.

William Ryan and Alston Keith et al.
Respondents

Writ of Certiorari to the U.S. Court
of Appeals to Eleventh Circuit

WRIT OF CERTIORARI

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13 pp

QUESTIONS PRESENTED

I. Whether Judge William Ryan, who was acting judge for Circuit Court of Dallas County, (Selma, Alabama) and who was appointed by Judge Charles Thigpen, Alabama Court of Civil Appeals and U.S. Court of Appeals, Eleventh Circuit failed to show no immunity by law and failed to show no conspiracy by not reading records so that the instant case was not ruled on merits in federal case [CV-90-T below,] made gross judicial error and had NO immunity since Judge Ryan personally participated in conspiracy to violate Dr. Asam's due process constitutional rights under the 5th and 14th amendments to the U.S. Constitution, triggering the 42 U.S.C. § 1983 claims [Order of U.S. Court of Appeals, 11th Circuit dismissed an alleged immunity by Judge Ryan and order states on face of order, "Do not Publish" and order appears to be written by clerk just out of law school and he has failed to read the record], and Judge Ryan below in reality had NO JURISDICTION AND VIOLATED Dr. Asam's civil rights, an exception to immunity since Judge Ryan had the notice to appear for a hearing sent to Dr. Asam to the wrong city as shown on his order in Appendix C| which shows the notice was sent to Tuscaloosa instead of Northport with the zip 35476 -- see exhibit 63 below order printed in Appendix C| showing Tuscaloosa instead of Northport and said notice never reached Dr. Asam in time for her to drive

to Selma, Alabama which was a "set-up" between Judge Ryan and the lawyers, Alston Keith and B. Spence and James Simpson from Lange, Simpson, et al, from Birmingham, making it impossible to be received by Asam in time for the hearing before Judge Ryan wrote his "bogus civil contempt" for non-appearance of Asam at hearing and then had an Order of Arrest written which only stated "contempt" making it ambiguous as to whether a civil contempt or criminal contempt triggering bounties some having felony backgrounds, and Judge Ryan's order of arrest was deliberately preventing Dr. Asam from any further participating in politics in State of Alabama especially since the "order of arrest" could be interpreted by law enforcement as criminal since civil was not in the order of arrest intiating bounties chasing Dr. Asam all on the highway when she is driving all over U.S. including trying to cause accidents to stop Dr. Asam [Dr. Asam was already in a head-on accident, not her fault, immediately after she qualified to run as a circuit judge candidate in March 1994?

II. Whether there was conspiracy of Judge Ryan and Alston Keith attorney in the wrongfully disbarring Dr. Asam from practicing law was shown by actual exhibits from both Ryan and Keith in the official record which the clerk did not read to pretend there was no conspiracy, [also see 96-448 and 96-478 of this

Honorable Supreme Court of the United States]; therefore, a question whether Dr. Asam's equal protection under the law 'constitutional rights under the 14th amendments to the U.S. Constitution and the violation of Ryan and Keith under the 42 U.S.C. § 1985 because of their actual involvement in conspiracy to not only to harass Dr. Asam with the "bogus civil contempt" which has not been withdrawn, but the said "bogus civil contempt" on original order of court **only** listed as just "contempt" to confuse law enforcement whether criminal or not when Asam has never been involved in any type of criminal contempt, and these bad acts by Judge Ryan are continuating to violate Dr. Asam's due process constitutional rights both procedurally and substantively,because the illegal order of arrest has instigated bounties, some with felony backgrounds,to chase Asam on the highway, try to cause her to wreck and other acts violating her constitutional rights as a U.S. citizen.

Judge William Ryan had no jurisdiction to hold Julia McCain Lampkin Asam, petitioner, in civil contempt when Judge Ryan, July 19, 1995, wrote a bogus contempt order to hold Dr. Asam in civil contempt for not attending two hearings and not answering post-interrogatories which were not yet due since on appeal because Judge Ryan was sympathetic and in conspiracy with evil-minded lawyers who were members of the "machine", a political organization

controlling politics in Alabama involving judges in Alabama, to wrongfully have Dr. Asam disbarred and Judge Ryan's motive was to have Dr. Asam wrongfully put in jail to keep her from running as a candidate in any political campaign in 1996, including preventing Dr. Asam from running as a candidate for the U.S. Senate, when Dr. Asam had worked as an intern for Hon. Sen. Howell Heflin, and been a two times judge candidate and received over 15,000 votes when Dr. Asam was the first woman in 1992 to run as a circuit judge candidate in Tuscaloosa County, Alabama and the following reasons showed Judge Ryan had violated the due process of Dr. Asam in Dallas County Circuit Court under the 5th and 14th amendments to the U.S. Constitution by wrongfully charging Dr. Asam with civil contempt because: 1. There was no notice to Dr. Asam as to any hearing since the notice was sent to the wrong city as shown on the face of the order of civil contempt by Judge Ryan [see #63 and #64 in the official record of Dallas County Circuit Court, and in particular #64 showed Tuscaloosa,Alabama instead of Northport, Alabama which was the true business address of Dr. Asam, and the Northport city was on all court papers since 1990,and address is same at the time of writing this petition;therefore,Judge Ryan listing non-attendance of hearings on May 31, 1995, and

July 19, 1995 is Judge Ryan's fault for having the wrong city of Dr. Asam on his order as shown on the face of his order, and second, Judge Ryan had no jurisdiction since the post-interrogatories were designed to take all of Asam's money illegally for the evil-minded male lawyers [see Appendix C for order showing Tuscaloosa instead of Northport in her address] and opposing lawyers in this instant case were acting in conspiracy to have Dr. Asam disbarred and Judge William Ryan, himself, had ruled at a secret hearing to have the Jessie Williams v. Capps Trailer Sales case ruled as frivolous which was another wrongful and unconstitutional ruling of Judge Ryan to justify that his friend lawyers could obtain excessive attorney fees when the case should have been before the jury because Williams was made a paraplegic and never received the money he was alleged to receive and in 1990 it was found that fraud was involved and two witnesses were found that wrote affidavits proving that the illegal load that Williams was forced to haul while driving a house trailer there was no permit to haul tons of concrete blocks that severed Williams spinal cord when a milk tanker driver also named Ryan hit and ran Williams off the road causing a wreck when also there was no break away switch for safety, [see facts for additional facts], and no jurisdiction since the post-interrogatories were not due to be

answered until the appeal was over, and July 19, 1995 was a date prematurely before the post-interrogatories were due [see facts], and Asam received no attorney fees, and the attorney fees Keith and Spence, Lange-Simpson, James Simpson were trying to obtain are excessive for only two hearings and no trial and third, there was a "set-up" between Keith, Spence, Lange-Simpson, James Simpson, and Judge Ryan, who knew that it was impossible for Asam to know about the hearing July 19, 1995 since notice was sent late since only stamped in court, July 17, 1995 and notice had to go from Dallas County to Northport, Alabama by July 18, 1995, for Asam to be in Selma, Alabama by July 19, 1995, and also since the wrong address was on the notice as shown by #64 in official record of Circuit Court of Dallas County and signed by Judge Ryan, and ths "set-up" was proven on the face of the order dated July 19, 1995, since the fax was dated 7/19/95 at 07:18 showing that the order to hold in civil contempt was before the time Dr. Asam was to be present at 9:30 A.M. since all lawyers and the judge knew Dr. Asam was not coming since sent notice for Dr. Asam to appear to the wrong CITY and sent late; therefore, Judge Ryan wrote a bogus civil contempt order to have Dr.

Asam wrongfully to be put in jail to further defame Asam to prevent her from running as any candidate in 1996. Judge Ryan, Violated 42 U.S.C. § § 1983 and 1985, by holding illegally Dr.Asam in civil contempt as shown in this Petition since Judge William Ryan had no jurisdiction to be having an hearing on any issue since the case was on appeal at the time he sent a Notice late and to the wrong CITY of Dr. Asam as evidenced in Appendix C which listed Dr. Asam's address as Tuscaloosa instead of Northport, Alabama. A judge cannot send a notice to the wrong city and expect notice of hearing to be received on time especially since the address of Northport had been in the CV 90-80T files since 1990 and still is Northport at the time of writing this petition.

III. Whether Judge Ryan made judicial error in trying to put an American citizen in jail for a trumped-up bogus civil contempt and then, having the Order of Arrest written only as "contempt" which is confused with criminal contempt when ruled civil contempt, and having the order of arrest written and not stating how to purge on face of said arrest order, and the order of arrest was not signed by a judge, further violated Dr. Asam's due process rights in the court under the 5th and 14th amendments to the U.S. Constitution, both substantive and

procedural due process as well as violating Dr. Asam's liberty rights since she has been chased by bounties and felons because Judge Ryan failed to specify civil contempt in the Order of Arrest is another type of political assassination of a lawyer Asam who did have opposing lawyers and/or lawyers for opponents pretending Dr. Asam's cases were frivolous just because she ran as a woman for circuit judge candidate in 1992 and Dr. Asam was the first woman circuit judge candidate for judge in Tuscaloosa County, and ran again in 1994, and one of the lawyers who was politically oriented to one of Asam's opponents stated she has to be stopped, and published in the Tuscaloosa News such statements that Dr. Asam needed a guardian ad litem, and started the false rumor that Dr. Asam was mentally incompetent, and Judge Ryan was just trying to further defame Dr. Asam so she could not be a political candidate [see facts], and violated Asam's civil rights under 42 U.S.C. § 1983.

TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED	i
LIST OF PARTIES	xi
STATEMENT REGARDING ORAL ARGUMENT	xi
TABLE OF CONTENTS	ix
CITATIONS OF AUTHORITY	xii
OPINIONS AND ORDERS BELOW	1
JURISDICTION	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	2
STATEMENT OF THE CASE	
I. The factural Background ...	4
II. Proceedings in the Courts Below	16
REASONS FOR GRANTING THE PETITION	18

1. Whether named defendants had any type or immunity since all were involved in violation of the constitutional rights of Dr. Julia Asam as to gender animus discrimination under the 14th amendment to the U.S. Constitution and due process and liberty rights violations under the 5th and 14th amendments to the U.S. Constitution and see law that there is no immunity when constitutional violations in Reasons for granting Writ of Certiorari. i

2. Whether Asam's constitutional rights and 42 U.S.C. 1983 civil rights, due process rights and liberty rights ii

under 5th and 14th amendments to U.S. Constitution, and 42 U.S.C. 1985 equal protection rights violated because of gender animus discrimination prompted by political motivation.

3. Whether Judge William Ryan violating the constitutional rights of Dr. Asam did in the instant case by holding Dr. Asam in civil contempt for non-appearance in court while he was sending her notice late and to a [see Appendix C] wrong address, i.e. another city than was listed in the court files of the instant case, and the judge acting in conspiracy with lawyers to help them obtain prematurely excessive attorney fees because this same judge had wrongful ruled the instant case was frivolous and this same Judge Ryan [see Appendix C], was appointed to the instant case by Judge Charles Thigpen, judge in the Alabama Court of Civil Appeal and Ryan failed to state in the order of arrest what type of contempt and only stated "contempt" and failed on face of order to arrest to state purge language making order of arrest illegal. vii

CONCLUSION 26

APPENDIX

APPENDIX A. Order by U.S. Court of Appeals, 11th circuit, dated Jan. 6, 1997, affirming dismiss. a-1

APPENDIX B. Order and opinion by Hon. Charles Butler dismissing case, dated November 16, 1995. a-4

APPENDIX C. Order by Judge William Ryan, writing the "bogus civil contempt", dated July 19, 1995. a-27

APPENDIX D. Order of Arrest which is defective since only states "contempt" and does not have any purge language on face of order of arrest because was civil contempt, and also is not signed by the judge, dated July 20, 1995. a-30

LIST OF PARTIES

The caption of the case contains the names of all parties.

STATEMENT REGARDING ORAL ARGUMENT AND REQUEST TO WRITE MERITS' BRIEF

Because of complexities, irregularities and numerous judicial errors made in the lower court, oral argument is requested so that the Honorable Justices can understand and ask questions.

The Appellant/Petitioner respectfully requests to write the Merits' Brief.

CITATIONS OF AUTHORITY

	Page
Carroll v. Borough of State College, 854 F. Supp. 1184, M.D. Pa.(1994)	21
Chambers v. Onoha Girls Club (1986, DC Neb) 629 F Supp. 925	25
Cowan v. Cowan, 635 So. 2d 1069, 19 FIW D 953, 1994, Fla. 5 DCA 3263	25
DeStafney v. University of Alabama, 413 So 2d 391 (Ala. 1981).	20
Ex parte Dickens, 162 Ala. 272, 50 So. 220	23
Ex parte Griffith, 178 So. 2d 169	23
Isajewitz v. Bucks County Dept. of Communications, 851 F. Supp. 161 E.D. Pa (1994)	26
Jones v. Alabama State Docks, 443 So. 2d 902 (Ala. 1983)	19
Julian v. New York City Transit Authority, 857 F. Supp. 242, E.D.N.Y. (1994) ..	21
Lesiter v. Alabama A&M University, 28 F. 3d 1146 (11th Cir. 1994)	18
Lugar v. Edmondson Oil Co., 457 U.S. 922 (1982)	23

McClary v. State, 429 So. 2d 1121, cert. denied 104 S Ct 273, 464 U.S. 913. 76 L. Ed 2d (1982) 20

Meeker v. Addison, 586 F. Supp. 216 (1983). 18

Midnight Sessions, Ltd. v. City of Philladelphia, 945 F 2d 667 (3rd Cir. cert. denied, 112 S. Ct 1668 (1992. 6

Mireless v. Waco, 502 U.S. 9, 11-12 (1991) 23

Monell v. New York City Dept. of Soc. Serv.,436 U.S. 68, 56 L. Ed 2d 611, 98 S Ct 2018 22

Monroe v. Pape, 365 U.S. 267, 272 (1961)..... 23

Novak v. Cobb County-Kennedone Hospital Authority, 849 F. Supp. 1559, N.D., Ga(1994)..... 21

Paul v. Davis, 424 U.S. 645, 96 S Ct 1154, 47 L Ed 366 (1976) 21

Paxman v. Campbell,
612 F. 2d 848 (4th Cir. 1980). 18

Pugliese v. Pugliese, 347 So. 2d 422 (1977
Fla. S Ct 1258 (Fla. 1977) 24

Samuels v. District of Columbia,
770 F. 2d 184, C.A.D.C., (1983) .. 22

Santiago v. Philadelphia,
(1977, ED Pa) 435 F. Supp. 136. 25

Siegel v. Felcher, 636 So. 2d 872,
19 FLW D 1108, 1994, Fla. 3 DCA 3592. 24

Standard Oil Co. v. Graves, Wash. 1919,
49 S Ct 320, 269 U.S. 389, 63 L Ed 662 25

Stump v. Sparkman,
435 U.S. 349 (1978) 23

U.S. v. Welden,
568 F. Supp. 516 affirmed in part,
reversed in part; 20

U.S. v. Satterfield,
743 F. 2d 827, on remand 20

U.S. Allison,
599 F. Supp. 956 cert. denied, 105
S Ct 2362,(three cases) 471 U.S. 1117
86 L. Ed 2d 262 20

Velger v. Cawley

525 F. 2d 334 (2nd Cir. 1975) 20

U.S. Constitution

Fifth Amendment 2

Fourteenth Amendment 2

Federal Statutes

28 U.S.C. § 1254(1) 2

28 U.S.C. § 2108 3

28 U.S.C. § 1343 (3) 3

42 U.S.C. § 1983 22

42 U.S.C, § 1985 ..... a-20,21

State Statutes

Section 1983 Litigation: Claims, Defenses, fees, M.A. Schartz, John E. Kirklin, John Wiley & Sons, 1986 on p. 101 22

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OPINIONS BELOW

The Petitioner incorporates all statements which are stated in the Appendix as Opinions Below into this Writ of Certiorari.

JURISDICTION

The jurisdiction of this Court is invoked under 28 U.S.C Section 1254 (1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The United States Constitution provides in pertinent part:

AMENDMENT V

No person shall... be deprived of life, liberty, or property, without due process of law;...

AMENDMENT XIV. SECTION I

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

FEDERAL STATUTES

42 U.S.C. Section 1983

"Every person who, under color of any statute, ordinance, regulation, custom, usage, or any State or Territory, subjects, or causes to be subjected, any citizen of

the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities acccured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

28 U.S.C. Section 1343(3)

"3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usuage, or any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States;

28 U.S.C. Section 2108

"The Supreme Court of any other court of appellate jurisdiction may affirm, modify, vacate, set aside or reverse any judgment, decree or order of court lawfully brought before it for review, and may remand the cause and direct the entry of such appropriate judgment, decree, or order, or require such further proceedings to be had as may be just under the circumstances."

STATEMENT OF THE CASE

I. STATEMENT OF THE FACTS

The Petitioner incorporates all facts presented in this Writ of Certiorari including the Questions Presented into this Statement of the Facts.

The instant case is the result of Dr. Asam, Petitioner, running as the first woman circuit judge candidate in 1992 in Tuscaloosa County.

Because Dr. Asam ran as a woman judge candidate evil-minded male lawyers, who were opposing lawyers and/or lawyers and judges who were politically oriented to political opponents of Dr. Asam were acting together to pretend Dr. Asam had filed frivolous lawsuits for which politically motivation and gender discrimination resulted in the assasination of Dr. Asam as a lawyer by the judges such as in the instant case, Judge William Ryan, acting judge for Dallas County Circuit Court, and appointed by Judge Charles Thigpen, had a secret hearing to rule that the Williams v. Capps Trailer case was a frivolous case and finally without notice to Asam or hearing Judge Ryan awarded opposing lawyers excessive attorney fees for two hearings and no trial in the amount of over $22,000 for 2 lawyers, Alston Keith, and Lange,Simpson et al, Berton Spence, who was never seen in court by Dr. Asam. Spence is trying to obtain with the help of a politically oriented Judge Ryan, to receive $11,000 plus attorney fees in the Williams v. Capps Trailer Sales case for what

Dr. Asam does not know. Dr. Asam has received no attorney fees for the Williams v. Capps Trailer Sales case.

Judge William Ryan was attempting to blackmail Dr. Asam with a "set-up" bogus civil contempt to prematurely answer some post-interrogatories because Judge Ryan wrongfully ruled case frivolous, which were still in the appellate process at the time of July 19, 1995. However, Judge Ryan failed since he had no jurisdiction at the time and he declared Dr. Asam in civil contempt when Dr. Asam failed to show at an alleged hearing when Judge Ryan's own order signed by him on July 19, 1995, [see Appendix C] has the wrong address i,e, wrong city as address for Dr. Asam on the face of Judge Ryan's order July 19, 1995, it is clearly seen that Asam was sent mail to P.O. Box 591, Tuscaloosa, instead of Northport, and clearly explains why Asam never received Notice of alleged hearing May 31, 1995 and Asam did not receive the July 19, 1995, notice of hearing until after the hearing on July 19, 1995, because of the wrong address with the wrong city and said notice of July 19, 1995 was sent late since not file stamped into the court until July 17, 1995 as seen in the official record of the Dallas County Circuit Court. Therefore, Judge Ryan knowingly was sending Dr. Asam a defective notice so that Judge Ryan together with lawyers Keith and Spence for Lange-Simpson

were setting-up Asam for a civil contempt since they knew Asam would not be present on July 19, 1995, as evidenced by a fax which is the order that Judge Ryan signed that was on the top of the order in the record as #63 and #64 had the fax information of being sent by Lange, Simpson on 7/19/95 at 07:18 in the morning before the fact that Asam was suppose to be at hearing at 9:30 A.M., but Judge Ryan, and lawyers knew Asam would not be there since Notice to Appear July 19, 1995 was sent late and to the wrong address i.e. wrong city, and this is a conspiracy "set-up" to have Dr. Asam deliberately charged with civil contempt to have her put in jail to further defame her from running as a candidate for judge or any other political office in 1996.

See Midnight Sessions, Ltd. v. City of Philadelphia, 945 F. 2d 667 (3 Cir.) cert denied, 112 S. Ct 1668 (1992).

Therefore, it was a "set-up" of lawyers acting together with a judge, Judge Ryan to have Dr. Asam put in jail for non-appearance for a Court hearing as evidenced by the fax information on top of Judge Ryan's order which was written by Lange Simpson (Spence, James Simpson) and original copy shows the fax information at the top of the order #63 in the offical record of the instant case. Judge Ryan instead of holding Dr. Asam in civil contempt should have called by phone Dr. Asam to have another date set and Asam would have showed.

At this time any hearing is moot since Asam no longer owes any attorney fees to Keith who has published false information to further defame Dr. Asam in the Selma newspaper pretending that Dr. Asam had made the following statement, "Keith...is a suit against the state of Alabama saying the state Supreme Court is incompetent." when Asam never made this statement in any lawsuit or at any time. Therefore, Asam does not owe Keith any attorney fees for this bald face lie in the Selma newspaper which was published September 3, 1995, without any checking at all with Dr. Asam.

Later, as seen in case 95-1895 in the Supreme Court of the United States which is an appeal and/or Writ of Certiorari of the Asam v. Alabama State Bar 1940912 the Supreme Court of Alabama was sued by Dr. Asam because of the illegal removal of her Answer of 26-pages being stolen from the official confidential files of the Supreme Court of Alabama and when Justice Jones wrote his opinion he stated that he had read the record and there was no Answer and cited law that "deemed admitted" the alleged charges against Dr. Asam by the Alabama State Bar, when on p. 1421 of the record clearly states in the index that the Answer was R-1 in the record of the Supreme Court of Alabama. However, Asam never used the word"incompetent" even though the Supreme

Court of Alabama official record of 1940912 had been mutilated and altered by an inside person since a confidential file from the Alabama State Bar, and the Alabama State Bar had timely stamped the Answer - 26 pages received as was shown by the duplicate record to the Supreme Court of Alabama. The statement by Justice Jones was not made until February 23, 1996, and Asam did file a suit against the Supreme Court of Alabama in case Asam v. Owens et al, which now is in the U.S. Court of Appeals, 11th Circuit as 96-6596, until March 1996. Therefore, the review by the Supreme Court of Alabama in 1940912 of the Alabama State Bar Disciplinary Board was not a review on the merits since Asam's Answer was illegally missing from the court files and Asam denied all charges and to deem admitted when Answer stolen by somone in the Supreme Court of Alabama building is not a proper and fair review. Why would Keith have advance knowledge of what was happening in the Supreme Court of Alabama? -- unless there is a conspiracy to harass Asam.

The Williams v. Capps Trailer case is a 1990 case and a lawyer is not going to be looking for an unexpected hearing of an old case in 1995 in another city, Selma 90 miles from where Asam was unless proper notice is received. Why did not Judge Ryan have the Court to call Dr. Asam to appear in Court when notice was sent late?

Who has been changing Dr. Asam's address since this is the second time her address has been changed from Dallas County Circuit Court. The first time her zip code was changed and Dr. Asam did not receive notice of a hearing in another case until after the hearing. Asam called the Court and the Hon. Judge re-set the hearing and Asam showed for Court. The second time the address of Asam was changed the name of the city was changed as in the instant case from Northport to Tuscaloosa [see #64 in record below and Appendix C attached see end of order July 19, 1995, Asam's address is incorrect].

Alston Keith was definately mixed up in politically trying to defame Dr. Asam in the first 1992 judgship campaign because Keith was making disparaging remarks about frivolous lawsuits in the Tuscaloosa News. Therefore, there is no doubt about it that the bogus civil contempt made by Judge Ryan is political because Keith in some way is controlling Judge Ryan to put Asam in jail.

Alston Keith was a secret partner to Huey Capps of Capps Trailer Sales, and Keith had Judge Ryan to rule at a secret hearing that the Williams v. Capps Trailer Sales case was a frivolous lawsuit and later had Judge Ryan to award him excessive attorney fees of over $11,000 for only two hearings and no trial in the Williams case.

Huey Capps acted fraudulently in having Williams in Williams v. Capps Trailer Sales to haul an extra excessive load of concrete blocks while he was driving a house trailer. Williams was hit by a milk tanker driver by the name of Ryan, the same name and spelling as Judge Ryan, and the driver of the milk tanker caused Williams to flip of the highway and Williams was made a paraplegic when a concrete block severed his spinal cord, and there was no permit to haul the concrete blocks and no break away switch. The fraud of having Williams to drive an extra load of concrete blocks without a permit was not discovered until 1990, and Judge Ryan ignored two affidavits by the men who had to pull off concrete blocks to get Williams out of the wreckage, and Judge Ryan ruled wrong by granting summary judgment in an accident with the driver with the name Ryan causing the accident. The appellate courts just rubber-stamped the establishment ruling and affirmed the case. Asam ran as one of her issues in her judgship campaigns to have the Justice put back into the judicial system, and perhaps this provoked some of the guilty ones who were not ruling according to the facts and laws and were not conducting fair trials for all people, just special interest groups received favorable rulings. Alabama judicial system certainly needs to be cleaned up and integrity

put back into the courts. When a case where a working man, is made a paraplegic has no justice because special interest groups are controlling the court system, reform should take place and the Supreme Court of the United States should rule according to the U.S. Constitution and have Judge Ryan to retract his illegal bogus civil contempt which has now been put in the order of arrest as seen in Appendix D as only "contempt", where the law enforcement have confused the contempt with criminal contempt.

Judge Ryan had the order of arrest signed by the clerk and not a judge and on the face of the order of arrest supposed to civil order of arrest there is no purge language on the face of said order [Appendix D].

Because the order of arrest only states, "Contempt" bounties and felons have been chasing around, attempting to arrest Asam. Two bounties came to Tuscaloosa and the man stated he was going to sit on the property of Julia Asam to wait until she showed up. Asam's husband told him he had 5 minutes to get off the property or he would be calling the City of Tuscaloosa police to have him physically removed. The man ran into his old car with a petition of wire between the front and back seat. Later this man was found to be a felon wanted in the State of Georgia.

Now, it is unsafe for Asam to live in Alabama since she has already

been in one head-on accident, not her fault because cars are trying to cause Asam to have accidents on the highways in Alabama and other states and she thinks these are bounties as a result of Judge Ryan only putting "contempt" in the order of arrest so that one does know if criminal or civil contempt.

Asam can never live in Alabama again when she was born in Tuscaloosa, Alabama and this is supposed to be America. Judge Ryan has done a great injustice to Dr. Asam with the help of other lawyers and judges, in particular, Judge Charles Thigpen appointed Judge William Ryan to be on this Williams v. Capps case.

In Asam's opinion the order to arrest is an illegal document for civil contempt.

Judge Ryan, who is a personal friend of Alston Keith, and who have been seen together in Selma in restaurants. Judge Ryan was attempting to prematurely obtain money for Keith when the appeal on post-interogatories was not over July 19, 1995 since the state court who had been rubber-stamping this Williams v. Capps Trailer Sales case because of politics final rule was April 28, 1995, and the 90 days had not expired by July 19, 1995; therefore Judge Ryan had no jurisdiction to attempt to force Asam to answer the post-

interrogatories of Keith on July 19, 1995 since the 90 days to take case to the Supreme Court of the United States had not expired.

This harassment by Judge Ryan is just a drop in the bucket compared to the over-all harassment by evil minded male lawyers who have had Dr. Asam disbarred, prompted by political motivation [Three cases were in Supreme Court of the United States - one is 95-1895, Asam v. Alabama State Bar, and the other cases were 96-448 and 96-478 (95-6133 below) from the U.S. Court of Appeals, 11th Circuit about gender discrimination]. All these cases relate to a large conspiracy of evil minded male lawyers to harass Dr. Asam and prevent her from ever running as a political candidate or ever receiving any type of job.

Alabama State Bar has a fraudulent and evil reason to disbar Dr. Asam that Dr. Asam is mentally incompetent when she has never been mentally incompetent. The Alabama State Bar had a kangaroo court whereby Asam was not given notice of a "surprised sanity hearing:, did not appoint an attorney for a surprised sanity hearing for Asam, and the Alabama State Bar failed to have an expert witness, a M.D. psychiatrist present to declare if Asam was or was not mentally incompetent, when Asam has four college degrees, B.S., M.S., Ph.D., and J.D. It is noted that Judge Charles Thigpen for some reason unknown to Asam is on the Tuscaloosa Mental Health Association when he

is a judge working at the Alabama Court of Civil Appeals. Judge Thigpen was the judge in the case Asam v. Devereaux which concerned the illegal activity of the Alabama State Bar in not giving Asam substantive and procedural due process under the 5th and 14th amendments to the U.S. Constitution concerning a "surprised sanity hearing" in which Asam was not given notice of "surprised sanity hearing" which was prompted by political motivation, was not appointed an attorney for sanity hearing which is supposed to be policy of Alabama State Bar as admitted by Robert Norris in record 1940912 and the Alabama State Bar failed to have a medical expert, M.D. psychiatrist to declare if Dr. Asam was mentally incompetent, and the ruling by the Alabama State Bar was before any reinstatement of Asam when disbarred (5 years) it was necessary for her to see a medical expert of the Alabama State Bar choosing to see if she is mentally competent. The Asam v. Devereaux is now on Writ of Certiorari in the Alabama Supreme Court when the Alabama State Bar in Alabama is an arm of the Supreme court of Alabama Worley v. Ala. State Bar, 572 So. 2d 1239, 1242, (Ala. 1990).

The judicial intrigue now being forced on Asam should be settled by the Honorable Supreme Court of the United States so that Asam can live in peace with her beloved husband who is still in Alabama.

Judge Ryan should be ordered by an appellate court to retract his order of arrest since the issue of post-interrogatories is now moot since Asam can sue Keith for his defaming her further in the Selma newspaper as well as in conspiracy with Spence,Lange,Simpson that can be sued for conspiracy with a judge to "set-up" Asam by the judge and lawyers knowingly were trying to put Asam in jail when it was impossible for Asam to receive notice to appear when notice sent late and to the wrong address, i.e. wrong city.

Dr. Asam owes Alston Keith nothing for his outrageous misbehavior of making a Bald face lie to the Selma newspaper to further harass and defame Dr. Asam.

So much is happening concerning this bogus civil contempt that the stories about what is happening is more like fiction but is actually the truth.

The bottom line is that Judge William Ryan should be ordered by the Supreme Court of the U.S. to retract his order of civil contempt on July 19, 1995, and to retract his illegal order of arrest which is not a proper order of arrest for civil contempt, plus the civil contempt is a bogus civil contempt as shown above since Judge William Ryan had no jurisdiction to write the order of civil contempt especially since the Notice of hearing was sent to wrong address.

II. PROCEEDINGS OF COURTS BELOW

This is a bogus civil contempt case with no hearing and illegal order of arrest which only states "contempt" with no purge language on face of order of arrest and not signed by a judge. The attempt by Judge William Ryan to deliberately and maliciously put Dr. Asam in jail when he had no jurisdiction since issue of post-interrogatories was still on appeal and to hold Dr. Asam in civil contempt for not showing for a hearing when notice was sent late and notice sent to the wrong address, i.e. a different city Tuscaloosa instead of Northport which had been the address city since 1990 is outrageous for a judge to be in conspiracy with lawyers in particular Keith and Spence from Lange, Simpson which is clearly shown on the original order a fax from Lange, Simpson 7/19/96 07:18 when the hearing was set for 9:30 A.M. already written as a civil contempt before the fact is a "set-up" and the judge and lawyers Keith and Spence from Lange, Simpson all knew Asam was not coming on July 19, 1995 since notice to appear sent late and to wrong address.

On July 19, 1995, order by Judge William Ryan holding that Asam is in civil contempt for non-appearance and not answering post-interrogatories not due yet because on appeal;and Judge Ryan had no jurisdiction,

plus notice sent late and notice sent to wrong address. On July 20, 1995, order of arrest filed with only stating "contempt" instead of civil contempt, failing to state purge language on face of order of arrest for civil contempt and not signed by a judge.

Proceedings below are found in the Appendix.
Appendix A has the order by the U.S. Court of Appeals, 11th Circuit dated Jan. 6, 1997, affirming the dismiss.
Exhibit B is the order and opinion by Hon. Charles Butler dismissing case, dated November 16, 1995.
Exhibit C is the order by Judge Ryan, writing the bogus civil contempt, July 19, 1995.
Exhibit D is the order of arrest which is defective since only states "contempt" and does not have any purge languate because was civil contempt and also is not signed by the judge. Dated July 20, 1995.

REASONS FOR GRANTING WRIT OF CERTIORARI

QUESTIONS I,II, and III will be discussed together.

U.S. CONSTITUTIONAL RIGHTS AND FEDERAL STATUTES VIOLATIONS

NO IMMUNITY BECAUSE OF THE CONSTITUTIONAL VIOLATIONS STATED IN THIS WRIT OF CERTIORARI

The Petitioner incorporates all facts in this Writ of Certiorari concerning the constitutional violations of Judge Ryan, Alston Keith, Berton Spence from Lange, Simpson, and James Simpson, acting in concert to have Dr. Asam put in jail for bogus civil contempt.

See Paxman v. Campbell, 612 F. 2d 848 (4th Cir. 1980), held - no immunity for an official "if he knew or reasonably should have known that the action he took within the sphere of official responsibility would violate the constitutional rights of the (person) affected..."

See Meeker v. Addison, 586 F. Supp. 216 (1983) which held an individual officer may be held liable for damages for conduct that has deprived a person of his constitutional rights.

Constitutional violations of due process is an exception to immunity alleged by state officials. See Lesiter v. Alabama A&M University, 28 F 3d 1146 (11th Cir. 1994).

Judge Ryan violated 42 U.S.C. §§ 1983 and 1985. Dr.Asam's rights to life and liberty rights have been infringed upon so that her due process has been violated, both as to substantive and procedural and Dr. Asam's contitutional rights under the 5th and 14th amendments to the U.S. Constitution have triggered the 42 U.S.C. § 1983 civil rights claims by a state court ignoring a state problem of a state actor. who had no jurisdiction and made judicial error, in ruling that Asam was held in civil contempt, i.e. Judge William Ryan violated the U.S. Constitutional rights of Dr. Asam to have a hearing before she is charged with civil contempt especially since it was Judge Ryan's order that showed that the notice to Dr.Asam was sent to the wrong address, i.e. the wrong city [see appendix C].

Also 42 U.S.C. § 1985 was also violated by the Judge William Ryan by acting in concert with the Lange,Simpson lawyers faxing an order to have a ruling that Asam to be held in civil contempt by having the notice sent to the wrong address of Asam i.e. wrong city and sending the notice out late as evidenced by the court record in the Circuit Court of Dallas County.

See Jones v. Alabama State Docks, 443 So. 2d 902 at 903 (Ala. 1983), which states,

"Due process clause of state Constitution secures every citizen against arbitrary motion of action of those in authority and places him or her

within protection of the law of the land. Const. Section 13.

See Velger v. Cawley, 525 F. 2d 334 (2nd Cir. (1975) on due process.

See McClary v. State, 429 So. 2d 1121. cert denied 104 S. Ct. 273, 464 U.S. 913, 78 L. Ed. 2d (1982), which held that although state may create strict liability offenses, power to do so is limited by constitutional command that no person can be deprived of life, liberty or property except by due process of law.

See U.S. v. Welden, 568 F. Supp. 516, affirmed in part, reversed in part, U.S. Satterfield, 743 F. 2d 827, on remand, U.S. Allison, 599 Supp. 958, cert. denied 105 S. Ct. 2362, three cases, 471 U.S. 1117, 86 L. Ed 2d 262, which held to meet requirements of "due process" and "equal protection" a statute must not subject an individual to arbitrary or uneven exercise of power, and further stated that Test of "due process" is essentially a test of fairness and reasonableness; furthermore, there must always be ascertainable standards.

See DeStafney v. University of Alabama, 413 So. 2d 391 (Ala. 1981), at 395, which states, "Section 14 does not necessarily immunize State officers or agents from individual civil liablity." DeStafney case at p. 396 states,

... we find that no valid public policy will be served by immunizing from liability a

public employee whose tortious conduct results in personal injury to another.

Novak v. Cobb County-Kennedone Hospital Authority, 849 F. Supp. 1559, N.D. Ga 1994, held State court judge is state actor for purposes of federal civil rights statute. 42 U.S.C.A. section 1983.

Carroll v. Borough of State College, 854 F. Supp. 1184, M.D. Pa. 1994. To prevail on cause of motion under section 1983. Plaintiff must prove that conduct of state actor deprived plaintiff of right, privilege, or immunity secured by federal constitution of law.

Julian v. New York City Transit Authority, 857 F. Supp. 242, E.D.N.Y. 1994, Section 1983 does not, in itself create substantive rights; to prevail, plaintiff must demonstrate violation of independent federal constitutional or statutory right. 42 U.S.C.A. section 1983.

See Paul v. Davis, 424 U.S. 645, 96 S Ct 1154, 47 L. Ed 366 (1976), held the civil rights act of 1871; (42 U.S.C.A., section 1983) does not create substantive rights, but provides express federal remedy against state officials for deprivation of rights established elsewhere in federal law. See

Samuels v. District of Columbia, 770 F. 2d 184, C.A.D.C., 1983.

See Monell v. New York City Dept. of Soc. Serv.436 U.S. 68, 56 L. Ed 2d 611, 98 S ct 2018, which states,

Civil Rights section 12.5 -- inability for violations -- State-law immunities 11a, 11b. State law immunities do not override cause of action under 42 U.S.C.S. section 1983, which imposes civil liability on any person who deprives another of his federally protected rights."

See Federal Statutes 42 U.S.C. section 1983. "Every person who, under color of any statute, ordinance, regulation, custom, usage, or any state or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities accured by the Constitution and laws. shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

See Book Section 1983 Litigation: Claims, Defenses, fees, M.A. Schwartz, John E. Kirklin, John Wiley & Sons, 1986 on p. 101, states,

"Section 5.9 Tests to Determine State Action -- In general... The Court did state that,to find state action, two general requirements must be

fulfilled. First, "the deprivation must be caused by the exercise of some right or privilege created by the state or by a person for whom the state is responsible. [See Lugar v. Edmondson Oil Co., 457 U.S. 922, 937, (1982).] Second, the defendant "must fairly be said to be a state actor. [See Lugar case]. "See Monroe v. Pape, 365 U.S. 267, 272 (1961 "The Two principles "collapse into each other when the claim of a constitutional deprivation is directed against a party whose official character is such as to lend the weight of the state to his decisions.

See Mireless v. Waco, 502 U.S. 9,11-12 (1991) and Stump v. Sparkman, 435 U.S. 349 (1978,which discusses circumstances which a "complete absence of jurisdiction" may be found. Judicial immunity does not exist in the instant case since complete absence of jurisdiction of Judge Ryan to have had any hearing when issue of interrogatories still in appeal process as of July 19, 1995 - therefore bogus civil contempt.

Judge Ryan's bogus civil contempt has not met the elements of the definition of civil contempt. See Ex parte Griffith, 178 So. 2d 169, quoting Ex parte Dickens, 162 Ala. 272, 50 So. 220, it is stated:

"A'civil contempt' consists in failing to do something, ordered to be done by a court in a civil action, for the benefit of the opposing party therein."

Nothing was being done for an opposing party.

Judge Ryan has no immunity by using the word only "contempt" on the Order of Arrest [appendix E] and Judge Ryan has clearly stigmatized Dr. Asam by giving the appearance of falsity, as to whether the contempt is for criminal or civil contempt on the face of the Order of Arrest. Asam does not live in Selma.

No purge language on face of Order of arrest [appemdix E].

See Siegel v. Felcher 636 So. 2d 872, 19 FLW D 1108, 1994, Fla. 3DCA 3592, OPINION. ON PETITION FOR WRIT OF HABEAS CORPUS GRANTED PER CURIAM.

It affirmatively appears from the record that the trial court found petitioner guilty of civil contempt and ordered him confined to the Dade County jail for a period of sixty days without providing a means or manner by which petitioner could purge himself of that contempt. Accordingly, we grant the petition and remand. See Pugliese v. Pugliese, 347 So. 2d 422 [1977 Fla. S Ct 1258] (Fla. 1977) (in civil contempt proceeding, trial court must provide means by which contemnor may purge himself of contempt]. If the trial court fails to provide for such a purge provision within 24 hours of entry of this order, petitioner shall be discharged from custody. Petition granted; remanded.

See Cowan v. Cowan, 635 So. 2d 1069, 19 FlW D 953, 1994, Fla. 5 DCA 3263, from opinion ... states,

When a trial court elects to use the coercive benefits of civil contempt rather than retributive force of criminal contempt... the court must conduct a hearing to determine appellant's present ability to make each installment due." **Dr. Asam had no hearing.**

See Standard Oil Co. v. Graves. Wash. 1919, 49 S Ct 320, 269 U.S. 389, 63 L. Ed 662, which states,

"While the Supreme court follows the decision of the highest state court as to the meaning of a state statute which asserted to violate the Federal Constitution, the name given to the statute is not conclusive, and it must be judged by its necessary effect, and if that is to violate the Constitution of the United States the law must be declared void. (Emphasis added.)

See Santiago v. Philadelphia, (1977, ED Pa) 435 F. Supp. 136."Conspiracy in context of 42 U.S.C.S. § 1985(3) means co-conspirators must have agreed, at least tacitly, to commit acts which will deprive plaintiff of equal protection of law.

See Chambers v. Onoha Girls Club (1986, DC Neb) 629 F Supp. 925.

"There are four elements that must be established in order to prove conspiracy. Dr. Asam has met all elements - see facts and questions Presented with facts.

Isajewicz v. Bucks County Dept. of Communications, 851 F. Supp. 161, E.D. Pa 1994 held in order to succeed in section 1983 action, plaintiff must prove that conduct complained of was committed by person acting under color of state law and that conduct deprived plaintiff of right or privilege secured by Constitution or law of United States. 42 U.S.C.A. section 1983. Judge Ryan acted under color of state law and has deprived Asam of her liberty and due process rights as stated.

Asam's constitutional rights were violated as to due process and liberty rights under the 5th and 14th amendments by Judge Ryan illegally holding Dr. Asam in civil contempt and then in the order to arrest only stated "contempt" with no purge language on the face of the order to arrest.

CONCLUSION

For the above reasons, this Honorable Supreme Court of the United States should grant Writ of Certiorari.

Respectively submitted,

Julia McCain Lampkin Asam

Julia McCain Lampkin Asam, Ph.D.,J.D.,Pro Se
P.O. Box 591, Northport, Alabama 35476

April 1, 1997.

APPENDIX A

IN THE U.S. COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT
No. 95-7060
Non-Argument Calendar
D.C. Docket No. 95-0669
DO NOT PUBLISH
JULIA McCAIN LAMPKIN ASAM,
Plaintiff-Appellant,
versus
WILLIAM RYAN, ALSTON KEITH,
Defendants-Appellees

Appeal from the U.S. District Court
for the Southern District of Alabama
(January 6, 1997)
Before EDMONDSON, COX, AND BARKETT, Circuit Judges. PER CURIAM.

Julia McCain Lampkin Asam appeals the district court's order dismissing her 42 U.S.C. § 1983 claims against William Ryan and Alston Keith. In reviewing that order, we take Asam's allegations as true. See Municipal Utils. Bd. of Albertville v. Alabama Power Co.,934 F. 2d 1493, 1500 (11th Cir. 1991).

The district court properly dismissed Asam's claim against Ryan because Ryan is immune from liability as a state judge. [False, Judge Ryan violated Dr. Asam's due process of notice and opportunity to be heard when Judge Ryan had notice to Asam sent to the wrong city after over 5 years with the proper address of Asam in the

court and since Judge Ryan violated Asam's constitutional rights under the 5th and 14th amendments to the U.S. Constitution there was no immunity for Ryan as a matter of law] A state judge is immune from liability unless he acted outside of his judicial capacity [acted outside judical capacity when Judge Ryan was in conspiracy with lawyers to entrap Asam by sending notice of hearing to the wrong city] or acted in "the complete absence of all jurisdiction." [as pointed out Judge Ryan had no jurisdiction at the time of making an order of "bogus civil contempt" since the issue before the court was on appeal] Mireles v. Waco, 502 U.S. 9, 11-12, 112 S. Ct. 286, 288 (1991) (per curiam); Simmons v. Conger, 86 F. 3d 1080, 1084-85 (11th Cir. 1996). Neither of these exceptions apply in this case. [False both apply]. Ryan acted in his judicial capacity when he found Asam in contempt [civil contempt but Order of Arrest stated just "contempt" which was a deliberate attempt by Judge Ryan to further persecute Asam] and when he reported her conduct to the state bar. [there was no conduct for Ryan to report except which Ryan trumed-up since Asam was not even present in the court due to Ryan sending the notice to appear to the wrong city so that it was impossible for Asam to have appeared at the alleged hearing in Selma, Alabama]. See United Mine Workers of America v. Bagwell, ____ U.S. _____, 114 S. Ct. 2552, 2557

(1994) (stating that issuance of contempt order is a traditional judicial function) [but fails to address "bogus civil contempt" prompted by political motivations; Ala. Canons of Judicial Ethics 3 (B)(3) [not applicable to Asam since not present in court] should take or initiate appropriate disciplinary measures against a judge or lawyer for unprofessional conduct.... [no unprofessional conduct by Asam who did not have knowledge of the alleged hearing since Judge Ryan had Notice to Asam sent to the wrong city. [Clearly the U.S. Court of Appeals is adding phantom facts that did not exist in the instant case] Asam does not argue that Ryan did not have jurisdiction over the undelying case so as to have acted in the complete absence of all jurisdiction. [Asam did argue in her briefs that Ryan had no jurisdiction to charge Asam with a "bogus civil Contempt" when the underlying case was on appeal especially since the Notice was sent to wrong address and city]. The district court properly dismissed Asam's claims against Keith because she did not sufficienty allege that Keith conspired with a state actor to deprive her of her rights. [false since Keith conspired with Judge Ryan and Judge Ryan was a state actor]. Rather, she made wholly conclusory conspiracy allegations. [false]. See Wahl v. McIver, 773 F. 2d 1169, 1173 (11th Cir. 1985) (holding that a plaintiff alleging conspiracy must plead more than a conclusory

allegation of conspiracy and must provide operative facts showing a nexus between the alleged conspirators). [A reading of the Asam's briefs clearly shows there was a conspiracy -- also see the cases 96-448 and 96-478 for more details concerning the large conspiracy to defraud Asam of her right to practice law since she was two times a woman candidate for circuit judge].

For these reasons, we affirm the district court's

dismissal of Asam's claims.[1]

AFFIRMED.

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[1] In their appellate briefs, Ryan and Keith request damages and injunctive relief against Asam. We deny their requests for damages because they did not file separate motions for such damages. See Fed. R. App. P. 38. We also deny their injunctive relief requests because such requests should be made to the district court.

APPENDIX B

IN THE U .S. DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Julia McCain Lampkin Asam, Ph.D.,J.D.
Plaintiff,

v.

William Ryan, Alston Keith et al.
Defendants

CIVIL ACTION NO.
95-0669 CB-S

ORDER

This matter is before the Court on the defendants motions to dismiss plaintiff's claims for failure to state a cause of action on which relief can be granted (tabs 4 and 6). Upon consideration of arguments presented in the parties' briefs, the Court finds that these motions are due to be GRANTED.

1. Factual Background

To understand this case, it is necessary to examine its procedural history in some detail. This action arises from proceedings in the case of Williams v. Capps Trailer Sales ("Williams I"), CV-90-80T, which was filed in the Circuit Court of Dallas County, Alabama, on March 12, 1990.[1] See Affidavit of Alston Keith, Jr. ("Keith Aff"), Ex 1 Julia McCain Lampkin Asam ("Asam"). plaintiff in the present matter, represented the Williams I plaintiff. Alston Keith, Jr. (Keith"), a defendant in this action, was one of serveral attorneys representing the Williams I defendants. The Honorable William Ryan (Judge Ryan"), acting Circuit

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[1]The williams I complaint asserted fraud and nelgigence causes of action for injuries sustained by Jesse Edward Williams in an automobile accident which occured on March 1, 1973, fully seventeen years before the complaint was filed.

Judge in Dallas County, [appointed by Judge Charles Thigpen of the Alabama Court of Civil Appeals] Alabama, and a defendant in this action, presided over Williams I. On July 23, 1990, Judge Ryan dismissed the Williams I litigation.[2] See Keith Aff. Ex 3. After this ruling, Keith and his co-counsel for Williams I defendants sought to recover reasonable attorney's fees [false outrageous attorney fees of over $11,000 for two hearings without a hearing on alleged frivolous lawsuit]from Asam pursuant to the Alabama Litigation Accountability Act. See Ala. Code § 12-19-270. On June 11, 1993, Judge Ryan awarded Keith and his co-counsel fees and costs in the amount of $11,520.97, and awarded another firm fees and costs in the amount of $11,097.17.[3] [when B. Spence was not seen in court] See Keith Aff, Ex. 10. [Issues in Williams I are not issues in the instant case concerning a "bogus civil contempt" by Judge Ryan for Dr. Asam not showing for hearing when Judge Ryan had the Notice sent to the wrong city.]

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[2]Judge Ryan's ruling was apparently based on statute of limitations grounds. His decision was affirmed by the Alabama Supreme Court on August 9, 1991. See Keith Aff., Ex. 7.

[3]This order was affirmed by the Alabama Court of Civil Appeals on October 22, 1993. See Keith Aff., Ex. 11.

Following Judge Ryan's dismissal of Williams I, on January 14, 1992, Asam filed a substantive identical complaint [not identical since contained federal issues] against the same defendants in the Middle District of Alabama, where the case was styled Williams v. State of Alabama [because the Supreme Court of Alabama failed to follow own law regarding new evidence of fraud] (Williams II"), 92-H-64 -N.[4] See Keith Aff., Ex. 12. On May 15, 1992, the Honorable Truman M. Hobbs dismissed Williams II with prejudice[5]. See Keith Aff., Ex. 13. [Keith was silent partner of Capps Trailer Sales and the Hon. Judge has failed to read Asam's exhibits and affidavit] Thereafter, the state of Alabama and Keith petitioned the court for attorney's fees pursuant to Ala. Code §12-19-270. On May 24, 1992, Judge Hobbs awarded a total of $6,675.0 [which George Jones was unable to prove] attorney's fees and costs. See Keith Aff.. Ex. 15.

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[4]According to the complaint filed in that action, the State of Alabama was added as a defendant in Williams II in an attempt to reverse the Alabama Supreme Court's incorrect ruling in Williams I. The only significant difference in Williams II was that Asam asserted an additional claim under the newly-passed Americans with Disabilities Act.

[5]On August 18, 1993, Judge Hobbs' decision was affirmed by the Eleventh Circuit. See Keith Aff.,

By late summer 1994, Asam had not paid Keith or the other Williams defense counsel, despite the two outstanding judgments which had been entered against her. On July 22, 1994, Keith filed post-judgment interrogatories and requests for production in the Circuit Court of Dallas County. See Keith Aff., Ex. 17. These discovery requests were designed to allow Keith to ascertain the nature and whereabouts of Asam's assets so that he could execute the judgments against her. Asam failed to respond to the interrogatories within the time prescribed by Rule 69(g), Ala. R. Civ. Pro. As a result, Judge Ryan entered the following order on October 11, 1994.

"[T]his Court Orders that Julia McCain Lampkin Asam shall answer and respond to Capps Trailer Sales, Inc. and Huey H. Capps' discovery requests within 15 (fifteen) days of this Order or be held in Contempt of Court" See Keith Aff., Ex. 18.

Rather than comply with Judge Ryan's order, Asam appealed to the Alabama Court of Civil Appeals, which dismissed her appeal and awarded litigation costs of the appeal to the Williams defendants on January 20, 1995. See Keith Aff., Ex. 19. By May of 1995, Asam had not responded to either the interrogatories or the requests for production,

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Ex. 14. Although Asam filed a petition for writ of certiorari with the Supreme Court, the petition was denied as untimely filed on June 10, 1994. Id.

despite Judge Ryan's order directing her to do so. Asam then failed to attend two successive hearings on May 31, 1995, and July 19, 1995, both of which had been set to resolve the pending discovery and contempt issues created by Asam's conduct.[6]

Following Asam's unexplained absence from the second hearing. Judge Ryan issued an order holding her in civil contempt of court and directing a warrant to issue for her arrest. See Keith aff., Ex. 21. On July 27, 1995, Asam filed a notice of appeal from Judge Ryan's contempt order, alleging that she received inadequate notice and contending that she had been disbarred "and it is questionable if a judge can order around a disbarred lawyer"[7]

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[6]Asam now claims that she failed to attend the hearings because she was provided with inadequate notice [the fact of the matter is Judge Ryan had the notice sent to the wrong city - see appendix C - showing where sent on his order] that such hearings were to take place. However, she offers no excuse for her failure to respond to Judge Ryan's previous order directing her to answer the post-judgment interrogatories which had been propounded by Keith. [false Asam stated in her brief the reason said interrogatories were not answered since was still on appeal at time of Jundge Ryan's order see Asam's briefs; this is example that the court failed to read Asam's briefs, affidavits, and exhibits and the record].

[7]In unrelated proceedings, on February 27, 1995,

Keith Aff., Ex. 22. It appears that Asam has never been either arrested or otherwise detained by the Dallas County Sheriff's Department in connection with Judge Ryan's contempt order.

On August 18, 1995, Asam filed an action against Judge Ryan and Keith in this Court. In her complaint and her amended complaint, Asam contends that Judge Ryan "overstepped his judicial power by writing a bogus contempt order", that Keith "defamed, libeled, stigmatized, and defrauded" Asam by making derogatory comments about her in the Selma Times Journal and that Judge Ryan and Keith (along with unnamed members of an all-male organization which she labels "the machine") conspired to defraud her of her right to pracitce law because she was the first woman to run for the position of circuit court judge in Tuscaloosa County, Alabama. Asam contends that these actions violated her rights under 42 U.S.C. § 1983, 42 U.S.C. § 1985, and the Fifth and Fourteenth Amendments.

II. Discussion

Both defendants have moved to dismiss this action for failure to state a claim, pursuant to Rule 12(b)(6), Fed.R.Civ.Pro. In evaluating such

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the Disciplinary Board of the Alabama State Bar ordered that Asam be disbarred and that she pay all sanctions imposed by any court resulting from the Williams litigation. Apparently, Asam is appealing her disbarment in other litigation at this time.

motions, the Court is to "presume the allegations of the complaint to be true and liberally construe the complaint in the plaintiff's favor." Municipal Utilities Bd v. Alabama Power Co., 934 F. 2d 1493, 1500 (11th Cir. 1991))citing Burch v. Apalachee Community Mental Health Servs. Inc., 840 F. 2d 797, 798 (11th Cir. 1988)). The Court will deny the motions unless it appears beyond doubt that Asam can prove no set [Asam prove sets of facts - see briefs] which will entitle her to relief on her claims. See Conley v. Gibson, 355 U.S. 41, 45-46 (1957). Each defendant's motion will be considered in turn.

A. Defendant Judge Ryan's Motion to Dismiss

The cornerstone of Judge Ryan's motion to dismiss lies in the doctrine of absolute judicial immunity. Under that doctrine, judges enjoy absolute immunity in actions for money damages resulting from any judicial or adjudicative acts. [Asam needs injunctive relief for Judge Ryan to be ordered to withdraw his order for his bogus civil contempt for having Asam's Notice for hearing sent to wrong city, and for Judge Ryan to withdraw the illegal order of arrest for Asam which only states "contempt" instead of civil contempt - see appendix D] See Mireless v. Waco 502 U.S. 9, 9-10, (199); Forrestor v. White, 484 U.S. 219, 226-227(1988); Dykes v. Hoseman

776 F. 2d 942, 943 (11th Cir. 1985). As the Supreme Court recently held, "judicial immunity is

not overcome by allegations of bad faith or malice" [Ryan was in conspiracy with the evil-minded lawyers who defrauded Asam to practice law and was actually shown by exhibits which the clerk failed to read] Mireles, 502 U.S. at 11; see also Pierson v. Ray, 386 U.S. 547, 554 (1967) ("[I]mmunity applies even when the judge is accused of acting maliciously and corruptly"), Harris v. Deveaux, 780 F. 2d 911, 914 (11th Cir. 1986) (immunity "applies even where a judge acts maliciously"). Judicial immunity exists unless the actions in question either are nonjudicial in nature or are taken in the complete absence of jurisdiction. See Mireles, 502 U.S. at 11-12.

In Stump v. Sparkman, 435 U.S. 349 (1978), the Supreme Court articulated the standard for determining whether a particular act has been performed in a judge's judicial capacity. Specifically, the Court summarized the applicable procedents as follows.

"The relevant cases demonstrate that the factors determining whether an act by a judge is a 'judicial one relate to the nature of the act itself, i.e. whether it is a function normally performed by a judge [Judge Ryan was not performing a normal function when he had "set-up" Asam as not making an appearance by having her Notice for a hearing sent to the wrong city and then charges

her for civil contempt for non-appearance] and to the expectations of the parties, i.e., whether they dealt with the judge in his judicial capacity." Id. at 362.

The Stump Court also discussed the circumstances under which a "complete absence of jurisdiction" may be found. For example:

"[I]f a probate judge... whould try a criminal case, he would be acting in the clear absence of jurisdiction, on the other hand, if a judge of a criminal court should convict a defendant of a nonexistent crime, he would merely be acting in excess of his jurisdiction and would be immune." [The instant case with Judge Ryan is civil and not criminal] ID. at 357 n.7 (citing Bradley v. Fisher, 13 Wall 335, 352 (1872)).

In light of this summary of case law, it is clear that Judge Ryan is entitled to judicial immunity [false - read record] unless his alleged actions were outside his judicial capacity [Judge Ryan sending notice of hearing to Asam to the wrong city after address of Asam 5 years in court is a set-up and outside and illegal as to Judge Ryan's judicial capacity] or were performed in a complete absence of jurisdiction. [Judge Ryan had no jurisdiction at the time of his order July 19, 1995 since the underlying case was on appeal and Judge Butler misled the Honorable appellate court to have the court to think Jan. 18, 1995 when the actual case involving Keith was not yet complete as to 90 days to file in Supreme Court of the

United States at the time of the order] Under any reasonable construction of the allegations contained in her pleadings, neither of these two exceptions may support Asam in this case. The Court finds that Judge Ryan was acting in a judicial capacity when he ordered that Asam be held in contempt for failure to attend the show cause hearing. [Impossible for Asam to attend when Judge Ryan sent notice to wrong city - see order by Judge Ryan on face of order showing wrong city - see Appendix C] The actions at issue, namely, ordering parties to respond to discovery requests, setting dates for show cause hearings, and ordering that parties be held in civil contempt, [false since Judge Ryan sent notice of hearing to wrong city], are unquestionably functions which are ordinarily associated with a judge [not when illegally done as facts and Judge Ryan's own order shows that the notice of hearing was sent to wrong city making it impossible for Asam to be present at hearing when Judge Ryan wrote the "bogus and illegal
civil contempt" against Dr. Asam.]

Moreover, the parties must have understood that they were dealing with Judge Ryan in his judicial capacity, [not Asam since Ryan sent notice to wrong city] as they had been called to appear before him for a hearing on the show cause issue. Finally, there is no basis for any contention that Judge Ryan completely lacked jurisdiction to order that Asam be held in civil contempt [false,because

Judge Ryan sent the Notice of hearing to the wrong city - see end of order in appendix C, making it a "set-up" and illegal act by Ryan who had no jurisdiction for acting illegally. Indeed, it is beyond question that Judge Ryan possessed jurisdiction to order post-judgment discovery, set hearing dates, and hold attorneys in contempt of court.

Asam does not make any allegations anywhere in her pleadings from which the Court could possibly conclude that either of the exceptions to judicial immunity applies in this action. [false see record and Asam's briefs]. She apparently believes that Judge Ryan lacked jurisdiction to hold her in contempt because, she claims, "the case was travelling appellate court" at the time [true appellate process was in progress at time of the bogus and illegal civil contempt by Judge Ryan]; however, such an allegation is patently wrong. [false, was not an allegation but a true fact]. The interrogatories were filed on July 20, 1994. Judge Ryan's post-judgment order was entered on October 5, 1994, and Asam's appeal of that order was denied on January 18, 1995 by the Eleventh Circuit [false, since issue was never in the Eleventh Circuit and Judge Butler is attempting to mislead appellate courts by writing false information in his opinion]. She claims she was held in contempt before the time for filing a petition for writ of certiorari had elapsed. [true - but main issue was Asam was not at hearing

since Notice of hearing was sent to wrong city by Judge Ryan as stated in his own order in Appendix C this Writ] However, Rule 13.1 of the Supreme Court Rules clearly states that an appeal must be filed within 90 days after theentry of judgment. Therefore, Asam's time for filng a petition with the Supreme Court would have elapsed in April 1995. [false - since Judge Butler had the wrong date January 18, 1995 on p. 7 of his opinion in the wrong court since never in the Eleventh Circuit] She was not held in contempt until July 19, 1995. Asam has not alleged she actually did file a timely petition for certiorari which was pending at the time of the contempt order, and the Court's research has revealed no evidence that such a petition was ever filed. [see 96-448]Thus, the Court finds that Asam's § 1983 claim against Judge Ryan based on his issuance of a contempt order against her must be dismissed under the doctrine of judicial immunity. [false since no hearing was ever actually held as to any alleged answering of post-interrogatories since Judge Ryan sent the notice of the hearing to the wrong city - see order by Judge Ryan - and this illegal act by Judge Ryan was a prima facie violation of Dr. Asam's due process in the court when no hearing for anything since the notice being sent to the wrong city by Judge Ryan was a "set-up" - see facts in this writ].

Moreover, the conspiracy claim leveled against Judge Ryan under § 1985 must be dismissed for

several reasons. First, Asam's vague, conclusory allegations [false since actual exhibit in record] that Judge Ryan, in tandem with Keith and other members of the undefined, enigmatic "machine", [Tuscaloosa News has published on "machine[] conspired to have her disbarred fails to set forth with specificity the nature of the conspiracy alleged [see complaint and exhibits for specificity]. Therefore, her pleadings are defective in this regard. [false] As the Eleventh Circuit has held, "[a] complaint may be justifiably be dismissed because of the conclusory, vague [not applicable to instant Writ because of the illegal act of Judge Ryan actually sending the notice of hearing to the wrong city when right city was in court file for 5 years]and general nature of the allegations of conspiracy." Fullman v. Graddick,739 F. 2d 553, 557 (11th Cir. 1984), see also Gallegos v. City and County of Demver, 984 F. 2d 358 (10th Cir. 1993); Kadlec v. Illinois Bell Tel. Co., 407 F. 2d 624 (7th Cir. 1969). Second, the only alleged involvement of Judge Ryan in the conspiracy was his signing of the "bogus contempt order". [false - sent notice to wrong city and had the law firm of Lange, Simpson, et al. to fax the order already written before the fact since Ryan and the lawyers knew that Asam would not be present at hearing since Notice was sent to the wrong city i.e. Tuscaloosa instead of Northport. Since the Court has already deemed that action to be protected by judicial

immunity [a wrong decision by Judge Butler deeming the illegal acts of Judge Ryan as protected by judicial immunity when Judge Ryan clearly violated the due process constitutional rights of Dr. Asam to be properly notified of a hearing before any "bogus civil contempt" was written by Judge Ryan for non-appearnace when Judge Ryan knew no appearance possible since notice of hearing had been sent to the wrong city], a conspiracy claim founded solely on such an action cannot survive [false - since not solely - also exhibits were ignored in file]. See Scott v. Dixon, 720 F. 2d 1542, 1546 (11th Cir. 1983). Third, even if Asam had
alleged that Judge Ryan's involvement in the conspiracy to disbar her extended beyond the mere act of signing a contempt order, he would still be entitled to judicial immunity because he would have been carrying out a judicial function [illegal function of "set-up" in instant Writ] mandated by the state rules of ethics which he was bound to follow. See Canon 3(b)(3), [not applicable in instant case because Asam was not present due to the fact Judge Ryan sent notice of hearing to the wrong city], Alabama Canons of Judicial Ethics

("A judge should take or initiate appropriate disciplinary measures against a judge or lawyer for unprofessional conduct") [There was no unprofessional conduct by Dr. Asam since she was not even present at the alleged hearing in which

Judge Ryan had the notice of hearing sent to the wrong city when the court had on record the correct address of Asam for 5 years and the "bogus civil contempt" was for Non-appearance at hearing of Asam who had no knowledge of such hearing before the hearing] For all these reasons, Asam's § 1985 conspiracy claim against Judge Ryan is due to be dismissed. [Judge Butler failed to research the true facts in the instant case and failed to have any hearing in the federal court].

B. Defendant Keith's Motion to Dismiss

In her pleadings, Asam claims that Keith defamed her by making unfavorable and untrue statements about her in the newspaper, that he provided information to the Alabama State Bar which led to her disbarment, [true see exhibit in record], that he otherwise participlated in the conspiracy to defraud her of her right to practice law, and that he exerted "some type of control over Judge Ryan". None of Asam's allegations against Keith support a claim on which relief can be granted in federal court.

As a preliminary matter, the Court notes that 42 U.S.C. § 1983 authorizes relief only against persons who act "under color of any statute, ordinance, regulation, custom, or usuage of any State or Territory or the District of Columbia". Id. Asam's § 1983 claim against Keith fails because she has nowhere alleged that Keith was acting under color of state law. Keith is a private attorney whose actions are beyond the purview of § 1983. See Cooper v. Wilson, 309 F. 2d

153 (6th Cir. 1962); Kenney v. Fox, 232 F. 2d 288 (6th Cir. 1956); Bates v. New York City Transit Authority, 721 F. Supp. 1577 (E.D.N.Y. 1989). Therefore, Asam cannot pursue remedies under § 1983 for the allegedly defamatory statements made by Keith. [Keith was acting constructively under color of state law since Keith was working with a state judge, Ryan, to deliberately set up Asam in a "bogus civil contempt" when Ryan had the notice of hearing sent to wrong city because Keith wished Asam put in jail so that she no longer could be a political candidate for
circuit judge or any other political candidate, and it was the intent of both Keith and other lawyers who were members of the "machine" [see 96-478] to have Asam disbarred and it was also the intent of Judge Ryan[see Exhibit in record to have Dr. Asam wrongfully disbarred, and these acts were clearly stigmatizations that were false and is a violation of the civil rights of Dr. Asam under 42 U.S.C. § 1983. The other defamatory statements by Keith could have been in a pendant claim because based on the illegal acts of Keith with Judge Ryan.]

Asam's conspiracy claim against Keith pursuant to § 1985 is also due to be dismissed.[8] As discussed previously, Asam has failed to plead her conspiracy claims [false] with sufficient

[8]Section 1985 does not require state action. Rather, the statute states, in relevant part:

particularity to support a cause of action under § 1985. [false - see complaint and record] See Fullman, 739 F. 2d at 557. Moreover, the Supreme Court has established

that plaintiffs bringing claims under § 1985(3) must show that "some racial, or perhaps otherwise class-based, invidiously discriminatory animus [lay] behind the conspirator's action." Griffin v. Breckenridge, 403 U.S. §§ 102 (1971). Asam cannot meet this requirement. [false, Asam has written about gender discrimination concerning wrongfully disbarment - see 96-478 and there were other lawyers and judges, and in this particular case, Keith, Spence, and Ryan and others.] First, Asam has made no allegations which lend any support to her contentions that the actions of Keith and Judge Ryan were motivated by gender based animus. Second, even if she had done so, it is not

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"If two or more persons in any State or Territory conspire... for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws... [and] if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against one or more of the conspirators." 42 U.S.C. § 1985(3).

at all clear that gender discrimination lies within the bounds of § 1985)3). The Supreme Court of the United States should rule that gender discrimination lies within the bounds of § 1985(3) and the Asam v. Alabama State Bar, case 96-478 should be reinstated. See Bray v. Alexanderia Women's Health Clinic, 506 U.S. 263 122 L. Ed 2d 34, 46 (1983) (declining to rule whether women in general are a qualifying class under § 1985(3).

There are several additional reasons for dismissing the § 1985 claim against Keith. For instance, it is far from clear that the right to practice law is a right protected by § 1985. See Mitchell v. Grenough, 100 F. 2d 184 (9th Cir. 1938) (deprivation of right to practice law in state court is not actionable under § 1985); [the main issue in the instant case is concerned with Keith and other lawyers and Judge Ryan in conspiracy to violate the civil rights of Dr. Asam by illegal acts such as the Judge Ryan sending the notice of a hearing to the wrong city when the correct address of Asam was in the court for 5 years] to collect thousands of dollars for Keith for only two hearings in the underlying case]; see also Saier v. State Bar of Michigan, 293 F. 2d 756 (6th Cir. 1961).Furthermore, to the extent that Asam's conspiracy claim against Keith is predicated on his involvement in her disbarment proceedings, such a claim is unequivocally barred by Rule 15 of the Alabama Rules of Disciplinary Procedure, which states that "Complaints submitted pursuant to these rules or testimony with respect

thereto shall be absolutely privileged and no lawsuit predicated thereon shall be initiated" Id. [Not applicable to Asam since the highest state Court, Supreme Court of Alabama evaporated pertinent files, 26 -page Answer, and Justice Jones pretended not in record to wrongfully deem Asam admitted all alleged charges].

Therefore, the Court finds that Asam has not articulated a valid conspiracy claim pursuant to 42 U.S.C § 1985(3) against Keith.

It is evident, then that all of the federal claims against Keith are properly dismissed at the time. In so finding, the Court does not foreclose the possibility that Asam's state-law claims of defamation, fraud, and conspiracy may be actionable. Regardless of whether or not those contentions have merit, however, federal court is not the proper forum for such claims. In the absence of any pendant federal causes of action, the Court declines to exercise supplemental jurisdiction over any remaining state claims which Asam may have. See 28 U.S.C. §1367(c)(2) (court may properly decline to hear state-law causes of action if it has dismissed all claims over which it has original jurisdiction).

III. Conclusions.

Based on the foregoing analysis, it is clear that all of Asam's federal claims are totally lacking in merit. [Judge Butler is biased as shown with his statement on p. 7 pretending that the case was in the 11th circuit with the wrong date

to calculate the 90 days, and the instant disorganized opinion clearly shows that Judge Butler is judge oriented and defendants oriented and considers nothing when actual proof of the plaintiff and the listing of the following cases should be stricken from Judge butler's opinion since not pertinent to the instant case because Asam has had to file lawsuits because evil-minded lawyers and judges, prompted by political motivation, have attacked Asam first and deliberately had Dr. Asam wrongfully disbarred] However, this is not the first time that Asam has found herself on the losing end of motion to dismiss.[9] In view of her decisions to file and pursue frivolous lawsuits [not frivolous lawsuits] in the past that wasted untold resources and caused federal and state courts to impose thousands of dollars in unpaid fines on her [Judge Ryan ruled without a hearing that Keith and other lawyers were to receive money for alleged frivolous lawsuit in the underlying case to the instant case, when Keith only attended two hearings of the underlying case and was awarded over $11,000 attorney as excessive attorney fees, when Judge Ryan failed to rule according to law in his erroneously granting of summary judgment of the underlying case], Asam would be well-advised to consider carefully the merits of any future

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[9]Parenthetically, the Court notes that Asam is no stranger to litigation in federal and state courts. [Asam is a lawyer.] In fact, she has

claims before filing additional lawsuits in state or federal court. Should she fail to do so, she may well subject herself to further monetary sanctions and other penalities at the hands of the state and federal judiciary.

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brought well over a dozen lawsuits (including the case at bar) on her own behalf since 1987. See e.g., Asam v. Vreeland, 51 F. 3d 1051 (11th Cir..1995) [political case]; Asam v. Harwood, 19 F. 3d 36 11th Cir.), cert denied, 115 S Ct. 93 (1994),[political case]; Asam v. City of Tuscaloosa, 907 F. 2d 1143 (11th Cir. 1990), zoning case; Asam v. Shapiro, 858 F. 2d 744 (11th Cir. 1988), cert denied 488 U.S. 1024, reh'g denied, 489 U.S. 1073 (1989), malpractice case; Asam v. Lee County, 816 F. 2d 686 (11th Cir.), cert denied, 484 U.S. 951 (1987), reh'g denied, 484 U.S. 1083 (1988), a civil rights claim; Asam v. Lee County Dist. Board, 816 F. 2d 686 (11th Cir. 1987); Asam v. Alabama State Bar, No. 94 T-859-N (M.D. Ala., Feb. 3, 1995), wrongful disbarment; Asam v. Vreeland 646 So. 2d 165 (Ala. Civ. App. 1994), a political case; Asam v. Harwood, 639 So. 2d 980 (Ala. 1993), cert denied 114 S Ct 1664 (1994), a political case; Asam v. Sexton, [not a Julia Asam case but Joseph Asam case because of political police harassment], 629 So. 2d 814 (Ala. 1993). Asam v. City of Tuscaloosa, 599 So. 2d 1192 (Ala. Civ. App.), cert denied, 113 S. Ct. 464 (1992), zoning case; Asam v. City of Tuscaloosa,585 So. 2d 60 (Ala. Civ. App. 1991), cert denied 502 U.S. 1033 (1992), zoning case; see also the Tuscaloosa News,

"Asam files suit against lawyer for bringing disbarment", at 4 B (July 22, 1995) indicating that Asam had also filed lawsuits against Robert Norris, general counsel for the Alabama State Bar, [now resigned shortly after Asam wrote her brief] and Wanda Devereaux, chair of the bar disciplinary committee which ordered her disbarment). [based on political motivation from lawyers and judges and not clients]. To the best of the Court's knowlege, judgment has been entered against Asam in each of these actions. [both the Norris and Devereaux cases are now in the Supreme Court of the United States]. Moreover, it appears that Asam's conduct in certian of these lawsuits was at the heart of the Alabama State Bar's decision to disbar her [Robert Norris also was actively participating with the evil-minded lawyers to disbar Asam because Dr. Asam was the first woman to run as a circuit judge candidate in Tuscaloosa County in 1992, and all this wrongful disbarment was based on the fabricated formal complaints written by Robert NOrris to put Dr. Asam out of business by falsely alleging under the disguise of pretended ethics violation to put Asam out of business as a lawyers when she violated no professional conduct just because she ran as a candidate for circuit judge, and in 1994 when Asam ran as a circuit judge candidate again, shortly after she qualified as a circuit judge candidate she was hit by a head-on accident as an attempt on her life and the accident was not her fault.]

For all the foregoing reasons, the Court finds that the motions to dismiss are due to be GRANTED in whole. Therefore, the plaintiff's claims are hereby DISMISSED with prejudice, except that her claims brought under state law are DISMISSED without prejudice.

It is so ORDERED.

DONE, this the 16 day of November, 1995

s/ Charles Butler
Chief District Judge

APPENDIX C

IN THE CIRCUIT COURT FOR DALLAS COUNTY, ALABAMA[1]

Jessie E. Williams,
Plaintiff,

v. **Civil Action No.**
Capps Trailer Sales, Inc. **CV 90-80T**
et al.
Defendants

ORDER

Julia McCain Lampkin Asam is hereby found to be in civil contempt of this Court for her failure to (1) answer post-judgment interrogatories as ordered by this Court; [still on appeal on July 19, 1995 and Judge had no jurisdiction]; (2) appear at a hearing on May 31, 1995, [No notice ever received], to which Ms.Asam was ordered to come and show cause why she should not be held in contempt for failure to answer

post-judgment interrogatories; and (3) for failure to appear at a hearing on July 19, 1995, [Notice received after hearing and not stamped into court until July 17, 1995, and impossible to have received mail from Selma overnight in Northport, Alabama], to which she was ordered to come and show cause why she should not be held in contempt for failure to appear on May 31, 1995 and for failure to answer the post-judgment interrogatories [a bogus contempt].

Ms. Asam shall be in civil contempt of this Court until such time as she shall fully and truthfully answer the post-judgment interrogatories of the judgment creditors in this action, as she has been previously ordered to do.

This Court hereby orders that a warrant for the arrest of Ms. Asam shall issue, and that upon service on Ms. Asam she shall remain until she shall comply with the orders of this Court.

The Court finds that Ms. Asam has it in her sole and exclusive power to terminate this sentence of civil contempt by complying with the Court's order regarding post-judgment interrogatories, and orders that she shall be released from custody and shall no longer be considered in contempt of this Court upon her compliance with the Court's previous orders.

So ordered this 19th day of July, 1995.
s/ Honorable William Ryan, Judge 1
7-20-95 cc:
Mr. E. Berton Spence 2
417 20th St. North
Suite 1700
Birmingham, Alabama 35203

Mr. Alston Keith, Jr.
Keith & Keith
P.O. Box C
Selma, Alabama 36702-0315

Ms. Julia McCain Lampkin Asam
P.O. Box 591
Tuscaloosa, [wrong address by court reason not received Notice should be Northport] Alabama 35476-0591

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[1]Number 63 and 64 in record in Dallas County CV 90-80T.

[2]Fax sent before hearing time already had Asam as in civil contempt since a "set-up" since knew impossible to reach Asam in time since filed July 17, 1995 in court and impossible for notice to have been received next day since on face of order dated July, 19, 1995, wrong city for Asam which should have been Northport, instead of Tuscaloosa. --Bogus Contempt.

APPENDIX D

IN THE CIRCUIT COURT OF DALLAS-COUNTY
ALABAMA

Jessie E. Williams
Plaintiff

vs.

Capps Trailer Sales, Inc.
et al.
Defendants.

Civil Action No.
CV 90-80T

ORDER OF ARREST

TO THE SHERIFF OF DALLAS COUNTY, ALABAMA:

Pursuant to the order of the Circuit Court of Dallas County entered on July 19, 1995 by the Honorable Judge William Ryan, Acting Circuit Judge, you are hereby ordered to arrest Julia McCain Lampkin Asam and hold her in your custody at the Dallas County Jail pending further order of this Court. This order of arrest is pursuant to the attached judgment that the said Julia McCain Lampkin Asam is in contempt [failed to state civil contempt like in order July 19, 1995] of this Court and shall remain in your custody until the Circuit Court of Dallas County has informed you that she has purged [failed to state in order of arrest how to purge] herself of this contempt. [Bogus contempt since wrong address on face

of order of judgment for Asam and no way could have received notice of hearing with wrong city in time for hearing].

This the 20th day of July, 1995.

s/William A. Kynard [not a judge]
Clerk of the Circuit Court
Dallas County, Alabama